

## BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

## COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO.

825-150BCT

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

Insert Title:

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HELICOBACTER PYLORI ADHESIN BINDING GROUP ANTIGEN

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on December 10, 1998 as  
United States Application Number \_\_\_\_\_; and /or

the specification was filed on June 10, 1997 as PCT  
International Application Number PCT/SE97/01009; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

## Prior Foreign Application(s)

9602287-6 (Number)	Sweden (Country)	June 10, 1996 (Month/Day/Year Filed)
9701014-4 (Number)	Sweden (Country)	March 19, 1997 (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)

Priority Claimed

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Insert Provisional  
Application(s):  
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application No.	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

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I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Terrell C. Birch (Reg. No. 19,382)  
Joseph A. Kolasch (Reg. No. 22,463)  
Bernard L. Sweeney (Reg. No. 24,448)  
Charles Gorenstein (Reg. No. 29,271)  
Leonard R. Svensson (Reg. No. 30,930)  
Andrew D. Meikle (Reg. No. 32,868)  
Joe McKinney Muncy (Reg. No. 32,934)  
C. Joseph Faraci (Reg. No. 32,950)

Raymond C. Stewart (Reg. No. 21,066)  
James M. Slattery (Reg. No. 28,380)  
Michael K. Mutter (Reg. No. 29,680)  
Gerald M. Murphy, Jr. (Reg. No. 28,977)  
Terry L. Clark (Reg. No. 32,644)  
Marc S. Weiner (Reg. No. 32,181)  
Donald J. Daley (Reg. No. 34,343)

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
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FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole  
Inventor  
Insert Name of Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any  
see above

Full Name of Fourth  
Inventor, if any  
see above

Full Name of Fifth  
Inventor, if any  
see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Thomas	BOREN	<i>Thomas Boren</i>	9/1/20
Residence (City, State & Country)		CITIZENSHIP	
Torelvagen 68 S-906 28 UMEA SWEDEN		Swedish	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
Torelvagen 68 S-906 28 UMEA SWEDEN			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Anda	ARNOVIST	<i>Anda Arnovist</i>	9/30/20
Residence (City, State & Country)		CITIZENSHIP	
53 O. Brinkvagen 53 S-903 21 UMEA SWEDEN		Swedish	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
53 O. Brinkvagen 53 S-903 21 UMEA SWEDEN			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Lennart	HAMMARSTROM	<i>Lennart Hammarstrom</i>	9/10/20
Residence (City, State & Country)		CITIZENSHIP	
Avg. for Klinisk Immunologi Huddinge sjukhus S-141 86		SWEDISH	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
Avg. for Klinisk Immunologi Huddinge sjukhus S-141 86 HUDDINGE SWEDEN			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Staffan	NORMARK	<i>Staffan Normark</i>	9/9/20
Residence (City, State & Country)		CITIZENSHIP	
Vallhallavagen 126 S-114 41 STOCKHOLM SWEDEN		Swedish	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
Vallhallavagen 126 S-1141 41 STOCKHOLM SWEDEN			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE
Dag	ILVER	<i>Dag Ilver</i>	9/9/20
Residence (City, State & Country)		CITIZENSHIP	
Bankgatan 18 S-902 35 UMEA SWEDEN		Swedish	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
Bankgatan 18 S-902 35 UMEA SWEDEN			

• DATE OF SIGNATURE

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**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**

Docket Number (Optional)

825-150PCT

Applicant, Patentee, or Identifier: Thomas BOREN et alApplication or Patent No.: NewFiled or Issued: December 10, 1998Title: HELICOBACTER PYLORI ADHESIN BINDING GROUP ANTIGEN

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

THOMAS BOREN  
NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Signature of inventor

Signature of inventor

Signature of inventor

Date

Date

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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